

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 08-</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: January 24, 2008</b>
<b>MARK GREEN,</b>	<b>:</b>	<b>VIOLATIONS:</b>
a/k/a "Mark Andre Green,"		<b>18 U.S.C. § 1029(b)(2) (access device</b>
a/k/a "Tracy Green,"	<b>:</b>	<b>fraud conspiracy - 1 count)</b>
a/k/a "Andre Green,"		<b>18 U.S.C. § 1029(a)(2) (unauthorized use</b>
a/k/a "Mark Brown,"	<b>:</b>	<b>of access devices - 2 counts)</b>
a/k/a "Mark Wallace,"		<b>18 U.S.C. § 1028A(a)(1) (aggravated</b>
a/k/a "Adrian Mercier,"	<b>:</b>	<b>identity theft - 2 counts)</b>
a/k/a "Anthony Covington,"		<b>18 U.S.C. § 2 (aiding and abetting)</b>
a/k/a "James Smith"	<b>:</b>	<b>Notice of forfeiture</b>
<b>LINWOOD SCOTT</b>		

**INDICTMENT**

**COUNT ONE**

**(ACCESS DEVICE FRAUD CONSPIRACY)**

**THE GRAND JURY CHARGES THAT:**

1.       From in or about January 2007 to in or about August 2007, in the Eastern District of Pennsylvania, and elsewhere, defendants

**MARK GREEN,  
a/k/a "Mark Andre Green,"  
a/k/a "Tracy Green,"  
a/k/a "Andre Green,"  
a/k/a "Mark Brown,"  
a/k/a "Mark Wallace,"  
a/k/a "Adrian Mercier,"  
a/k/a "Anthony Covington,"  
a/k/a "James Smith," and  
LINWOOD SCOTT**

conspired and agreed together, and with others known and unknown to the grand jury, to commit an offense against the United States, that is, to knowingly and with intent to defraud, use and traffic in a fraudulent and unauthorized Discover credit card ending with 3822 and a fraudulent and unauthorized VISA credit card ending with 4329, in violation of Title 18, United States Code, Section 1029(a)(2).

### **MANNER AND MEANS**

It was part of the conspiracy that:

2. Defendant MARK GREEN used stolen identification information, obtained from stolen mail, wallets, and purses, to apply for credit cards in the names of the victims.

3. Defendants MARK GREEN and LINWOOD SCOTT and others known and unknown to the grand jury used credit cards obtained in the names of the victims of the identity theft to purchase goods and services, including automobiles and automobile repairs, totaling \$9,000 or more.

### **OVERT ACTS**

In furtherance of the conspiracy, defendants MARK GREEN and LINWOOD SCOTT, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about June 27, 2007, defendant MARK GREEN provided a person named "Josie" with a fraudulent Discover credit card ending with 3822 to pay Mercedes-Benz of Fort Washington \$2,500 toward repair bills for defendant GREEN's Mercedes-Benz SL500.

2. On or about June 30, 2007, defendant MARK GREEN provided a person named “Josie” with a fraudulent VISA credit card ending with 4329 to pay Mercedes-Benz of Fort Washington \$2,500 toward repair bills for defendant GREEN’s Mercedes-Benz.

3. On or about July 2, 2007, defendant MARK GREEN provided defendant LINWOOD SCOTT with a fraudulent Discover credit card ending with 3822 to pay Mercedes-Benz of Fort Washington \$4,000 toward repair bills for defendant GREEN’s Mercedes-Benz.

All in violation of Title 18, United States Code, Section 1029(b)(2).

**COUNT TWO**

**\_\_\_\_\_ (UNAUTHORIZED USE OF ACCESS DEVICE)**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about June 27, 2007 to on or about July 2, 2007, in Fort Washington,  
in the Eastern District of Pennsylvania, defendants

**MARK GREEN,  
a/k/a "Mark Andre Green,"  
a/k/a "Tracy Green,"  
a/k/a "Andre Green,"  
a/k/a "Mark Brown,"  
a/k/a "Mark Wallace,"  
a/k/a "Adrian Mercier,"  
a/k/a "Anthony Covington,"  
a/k/a "James Smith," and  
LINWOOD SCOTT**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use  
of, an unauthorized access device, that is, a Discover credit card ending with 3822, in the name  
of K.B., to obtain things of value aggregating \$1,000 or more during a one-year period, for a total  
of at least \$6,500, thereby affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2) and 2.

**COUNT THREE**

\_\_\_\_\_ **(UNAUTHORIZED USE OF ACCESS DEVICE)**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 30, 2007, in Fort Washington, in the Eastern District of Pennsylvania, defendant

**MARK GREEN,  
a/k/a “Mark Andre Green,”  
a/k/a “Tracy Green,”  
a/k/a “Andre Green,”  
a/k/a “Mark Brown,”  
a/k/a “Mark Wallace,”  
a/k/a “Adrian Mercier,”  
a/k/a “Anthony Covington,”  
a/k/a “James Smith”**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use of, an unauthorized access device, that is, a VISA credit card ending with 4329, in the name of F.M., to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$2,500, thereby affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2) and 2.

**COUNT FOUR**

\_\_\_\_\_ **(AGGRAVATED IDENTITY THEFT)**

**THE GRAND JURY FURTHER CHARGES THAT:**

From in or about January 2007 to in or about August 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

**MARK GREEN,  
a/k/a "Mark Andre Green,"  
a/k/a "Tracy Green,"  
a/k/a "Andre Green,"  
a/k/a "Mark Brown,"  
a/k/a "Mark Wallace,"  
a/k/a "Adrian Mercier,"  
a/k/a "Anthony Covington,"  
a/k/a "James Smith"**

knowingly and without lawful authority possessed and used a means of identification of another person, that is, the name of K.B., during and in relation to a credit card fraud scheme.

In violation of Title 18, United States Code, Sections 1028A(a)(1).

**COUNT FIVE**

**\_\_\_\_\_ (AGGRAVATED IDENTITY THEFT)**

**THE GRAND JURY FURTHER CHARGES THAT:**

From in or about January 2007 to in or about August 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

**MARK GREEN,  
a/k/a "Mark Andre Green,"  
a/k/a "Tracy Green,"  
a/k/a "Andre Green,"  
a/k/a "Mark Brown,"  
a/k/a "Mark Wallace,"  
a/k/a "Adrian Mercier,"  
a/k/a "Anthony Covington,"  
a/k/a "James Smith"**

knowingly and without lawful authority possessed and used a means of identification of another person, that is, the name of F.M., during and in relation to a credit card fraud scheme.

In violation of Title 18, United States Code, Sections 1028A(a)(1).

## NOTICE OF FORFEITURE

### THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 1029(a)(2) and 1029(b)(2), as set forth in Counts One through Five of this indictment, defendant

**MARK GREEN,  
a/k/a "Mark Andre Green,"  
a/k/a "Tracy Green,"  
a/k/a "Andre Green,"  
a/k/a "Mark Brown,"  
a/k/a "Mark Wallace,"  
a/k/a "Adrian Mercier,"  
a/k/a "Anthony Covington,"  
a/k/a "James Smith"**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including, but not limited to a Mercedes-Benz SL500;

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense(s), including, but not limited to, the sum of \$ 9,000.00.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or



it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**